

Independent Citizen's Oversight Committee

Resolution 2005-01

RESOLUTION OF THE INDEPENDENT CITIZEN'S OVERSIGHT COMMITTEE
DELEGATING AUTHORITY TO CHAIRPERSON TO ACT AS
INTERIM PRESIDENT WITH SPECIFICALLY DELINEATED
ADMINISTRATIVE POWERS

WHEREAS, Article XXXV, Section 1 of the California Constitution establishes the California Institute for Regenerative Medicine (institute); and

WHEREAS, Health and Safety (H&S) Code section 125290.15 creates the Independent Citizen's Oversight Committee (ICOC) to govern the institute, and vests the ICOC with full power, authority, and jurisdiction over the institute; and

WHEREAS, H&S Code section 125290.40(a) mandates the ICOC to oversee the operations of the institute; and

WHEREAS, H&S Code section 125290.40(h) mandates the ICOC to perform all other acts necessary or appropriate in the exercise of its power, authority, and jurisdiction over the institute; and

WHEREAS, H&S Code section 125290.45(a)(3) and (4) authorize the institute to enter into any contracts or obligations which are authorized or permitted by law and to enter into contracts for legal services; and

WHEREAS, H&S Code section 125290.45(b)(1) mandates the ICOC to select a chairperson, vice chairperson and president who shall exercise all the powers delegated to them by the ICOC; and

WHEREAS, given that one of the institute's purposes, as stated in section 2 of Article XXXV of the California Constitution, is that the institute make grants and loans for stem cell research, for research facilities, and for other vital research opportunities to realize therapies, protocols, and/or medical procedures that will result in, *as speedily as possible*, the cure for, and/or substantial mitigation of, major diseases, injuries, and orphan diseases; and

WHEREAS, specific time limits and due dates mandated in H&S Code sections make it clear that the voters of the State California, in approving Proposition 71, intended that the substantive work of the institute begin as quickly as possible and that such substantive work should not be postponed due to unnecessary administrative delays; and

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3. Negotiate, enter into and amend all contracts for technical, professional, and administrative services needed to begin day-to-day operations of the institute. However, this delegation shall not authorize the chairperson acting as interim president to enter into or amend any contract for more than \$100,000 without prior approval by a majority vote of a quorum of the ICOC taken at a duly noticed public meeting;

4. Make administrative expenditures for equipment and services necessary or appropriate to the operation of the institute up to a total of \$100,000 per item without prior approval by a majority vote of a quorum of the ICOC taken at a duly noticed public meeting;

5. Hire, or enter into an inter-agency agreement to obtain, interim technical, professional, and administrative support staff who shall be subject to approval of the president pending his/her selection (and whose contracts shall so provide), and delegate tasks and functions to such interim administrative support staff as appropriate;

6. Respond to Public Records Act requests;

7. Upon request, disburse to ICOC members a per diem of one hundred dollars per day for each day actually spent in the discharge of the member's duties;

8. Reimburse ICOC members and institute staff for reasonable and necessary travel expenses incurred in the performance of their duties;

9. Enter into an agreement with the Attorney General's Office to provide legal services, and retain such other specialized counsel as necessary; and

10. Seek reimbursement by the Controller of the interim loan appropriation of H & S Code section 125290.70(b) for the purposes above.

11. Undertake, on an interim basis, the responsibility under H & S 125290.45(b)(1)(b)) to recruit the highest scientific and medical talent in the United States to serve the institute on its working groups.

12. Authorize committees established by the ICOC to expend funds as necessary and consistent with paragraphs 3 and 4 to fulfill the committees' missions, including but not limited to, reimbursing any public members of the committees for expenses incurred as a result of their service on the committees and retaining an executive search firm.

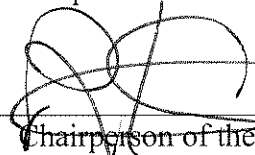
IT IS FURTHER RESOLVED THAT the ICOC hereby confers signature authority to the chairperson and his/her designees, during the period the chairperson is acting as interim president, for the purpose of executing all contracts and other legal documents specified above on behalf of the institute.

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CERTIFICATION

The chairperson of the ICOC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Independent Citizens' Oversight Committee on January 6, 2005.

Date of vote: 1/06/05



Chairperson of the ICOC

Executed: 8/24/06